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19 Attorneys for Defendant  
20 BANK OF AMERICA GROUP BENEFITS PROGRAM  
21 (identified by Plaintiff as "Bank of America Self-Insured  
22 Medical Plans," "Associate Life Insurance - Basic" and  
23 "Associate Life Insurance - Supplemental Plan")  
24

25 JAMES MICHAEL BROWN,

26 Plaintiff,

27 v.

28 BANK OF AMERICA SELF-INSURED  
29 MEDICAL PLANS: ASSOCIATE LIFE  
30 INSURANCE - BASIC AND ASSOCIATE  
31 LIFE INSURANCE - SUPPLEMENTAL  
32 PLAN,

33 Defendants.

Case No. CGC-07-4844 EDL

**STIPULATION AND [PROPOSED]  
ORDER CONTINUING INITIAL  
CMC**

Date: February 12, 2008  
Time: 10:00 a.m.  
Judge: Hon. Elizabeth Laporte

WHEREAS, the initial Case Management Conference is currently calendared for  
February 12, 2008;

1           WHEREAS, counsel for Plaintiff and Defendant have met and conferred, and are  
2 currently participating in the Early Neutral Evaluation process mandated by the Court;

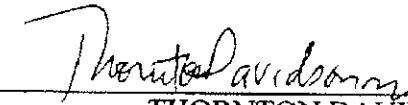
3           WHEREAS, Plaintiff has dismissed one cause of action and the parties are actively  
4 working to resolve Plaintiff's remaining claim;

5           WHEREAS, the parties are collectively adverse, they agree through their  
6 respective counsel to the following:

- 7           1.       The Initial Case Management Conference will now be held on March 11, 2008 at  
8                   10:00 a.m.;
- 9           2.       The remainder of the deadlines shall remain the same.

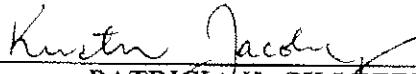
10          Dated: February 11, 2008

THORNTON DAVIDSON  
The ERISA Law Group

  
THORNTON DAVIDSON  
Attorneys for Plaintiff  
James Michael Brown

16          Dated: February 11, 2008

PATRICIA K. GILLETTE  
KRISTEN M. JACOBY  
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PATRICIA K. GILLETTE  
KRISTEN M. JACOBY  
Attorneys for Defendant  
Bank of America Group Benefits Program

22           **[PROPOSED] ORDER**

23          **IT IS SO ORDERED.**

24          Dated: \_\_\_\_\_

26           \_\_\_\_\_  
HONORABLE ELIZABETH D. LAPORTE  
UNITED STATES DISTRICT COURT JUDGE